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[Counsel continued on next page]

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 WESTERN DIVISION – LOS ANGELES**

Frankel, et al.,

Plaintiffs,

v.

Regents of the University of
 California, et al.,

Defendants.

Case No. 2:24-CV-4702-MCS

**DECLARATION OF ANTON
 METLITSKY IN SUPPORT OF
 PARTIES' STIPULATION
 EXTENDING DEFENDANTS' TIME
 TO RESPOND TO PLAINTIFFS'
 COMPLAINT**

Judge: Hon. Mark C. Scarsi
 Courtroom: 7C

1 [Counsel continued from previous page]

2 Charles Robinson (S.B. #113197)

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11 *Attorneys for Defendants*

12 **Notice of appearance forthcoming*

1 I, Anton Metlitsky, declare as follows:

2 1. I am an attorney duly licensed to practice before all of the courts of the
3 State of New York and the District of Columbia. I am admitted *pro hac vice* to
4 represent Defendants in this case. (ECF No. 59) (granting application to appear *pro*
5 *hac vice*). I am a partner with the law firm O'Melveny & Myers, LLP, counsel of
6 record for Defendants in the above-captioned action. I make this Declaration in
7 support of Plaintiffs Yitzchok Frankel; Joshua Ghayoum; and Eden Shemuelian's
8 ("Plaintiffs") and Defendants The Regents of the University of California; Michael
9 V. Drake; Gene D. Block; Darnell Hunt; Michael Beck; Monroe Gorden, Jr.; and
10 Rick Braziel's ("Defendants") (collectively, the "Parties") Stipulation Extending
11 Defendants' Time to Respond to Plaintiffs' Complaint. I have personal knowledge
12 of the matters stated herein and, if called upon, I could and would competently
13 testify hereto.

14 2. Plaintiffs filed the Complaint in this action on June 5, 2024.

15 3. Defendants retained O'Melveny & Myers, LLP as counsel in this
16 action on June 17, 2024.

17 4. On June 27, 2024, the Parties agreed to extend Defendants' time to
18 respond to Plaintiffs' Complaint by 45 days, from July 5, 2024 to August 19, 2024,
19 (ECF No. 53), which this Court granted. (ECF No. 55).

20 5. The Parties further agree to extend Defendants' time to respond to
21 Plaintiffs' Complaint from August 19, 2024, to September 4, 2024.

22 6. Good cause exists for this extension in light of several impending
23 deadlines in other matters that cannot be moved, and that have required and
24 continue to require my significant attention. These matters include:

- 25 • Two significant briefs due on August 6 in *Fair Isaac Corp. v. Federal*
26 *Ins. Co. et al.*, No. 16-cv-1054 (D. Minn.), filed in opposition to post-
27 judgment motions filed under a jurisdictional deadline, *see* Fed. R.
28 Civ. P. 59(e).

- Jury instructions and a pretrial brief due August 9 in *Vitro Glass LLC v. ACE American Ins. Co.*, No. GD-19-005579 (Ct. Comm. Pl. Pa.) (trial to commence September 10)
- Numerous filings, including motions *in limine* and a summary judgment reply brief, due August 14 in *Vitro Glass LLC v. ACE American Ins. Co.*, No. GD-19-005579 (Ct. Comm. Pl. Pa.).
- Oral argument on motions and cross-motions for summary judgment on August 20 in *Vitro Glass LLC v. ACE American Ins. Co.*, No. GD-19-005579 (Ct. Comm. Pl. Pa.).

7. As described above, *supra* at ¶ 4, this is the Parties' second request for an extension of time for Defendants to respond to Plaintiffs' Complaint. This Court granted the first request. (ECF No. 55). This is third request for a continuance or an extension of time in this action. The other request was a Stipulation to Continue the Hearing on Plaintiffs' Motion for a Preliminary Injunction (ECF No. 51), which this Court granted (ECF No. 54).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 8th day of August, 2024, at New York, New York.



Anton Metlitsky